

Applicant: FALLS *et al.*
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REMARKS

In response to the Non-Final Office Action mailed February 27, 2007 (hereinafter "Office Action"), claims 72-79, 82-84, 86-87, 89-90, 93-118, 120-122, 125-127, and 132 have been amended, and claim 133 has been newly added. Therefore, claims 72-91 and 92-133 are pending. Support for the instant amendments is provided throughout the as-filed Specification. Thus, no new matter has been added. In view of the foregoing amendments and following comments, allowance of all the claims pending in the application is respectfully requested.

INTERVIEW SUMMARY

Applicants are appreciative of the interview with Examiner Buchanan and Examiner Zeender on March 16, 2007, and for the Interview Summary provided by Examiner Buchanan. However, the Examiner's Interview Summary does not fully and accurately describe that which was discussed and agreed upon during the interview. In particular, during the interview, Applicants' representatives argued that Applicants believed that the claims were patentable as previously presented, but in light of the Examiners' suggestions of how amendments to the claims could further clarify the differences the Examiners' recognized between the invention and the prior art, Applicants would consider amending the claims to expedite prosecution.

Proposed claim language further defining the location of the one or more space indicators was discussed during the interview and the proposed claim language agreed upon during the interview is substantially set forth in the claim amendments provided above in this

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Amendment. The Examiners agreed that the proposed claim language discussed during the interview and as substantially set forth in this Amendment would likely overcome the prior art of record, but that further search and consideration would be undertaken by the Examiner.

This Amendment is believed to substantially incorporate the proposed claim amendments agreed upon during the interview in order to place the application in condition for allowance. Additional amendments to improve the form of the claims and address other patentable aspects of the invention have also been made. Withdrawal of the outstanding rejections is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 100-116 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner recites that there is insufficient antecedent basis for the recitation of “the graphics edge” in line 1 of the rejected claims [Office Action, pg. 2, ¶3]. In response, the term “the graphics edge” has been deleted in each of claims 100-116. Accordingly, withdrawal of this rejection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 72-91 and 93-132 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,537,312 to Sekiguchi *et al.* (“Sekiguchi”) [Office Action, pg. 3, ¶5]. This rejection is respectfully traversed, especially in view of the amendments set forth above.

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In particular, the independent claims each include recitations directed to the first and second space indicators. As indicated by the Examiners during the March 16, 2007 Interview, such claim language defines the claims over the prior art of record. Accordingly, withdrawal of the rejection is respectfully requested. The dependent claims are also allowable because they each ultimately depend from an allowable independent claim, as well as for the features they recite.

Sekiguchi states that the conventional label is “a small card made of paper on which name of article, feature of article and price are entered” [col. 1, lines 17-19]. Also, Sekiguchi discloses that an electronic “display device 22 which can electronically display information is arranged in place of the paper labels” [col. 4, lines 30-31], and that “[t]he dimension of the display device may be arbitrary and it may be set in accordance with the dimension of the conventional paper label” [col. 4, lines 35-38]. Thus, Sekiguchi discloses an electronic display 22 that merely replaces the small paper cards of the prior art. Even if it is assumed that Sekiguchi establishes a predetermined length for the position of a product on the shelf in order to position the small electronic display 22, Sekiguchi fails to disclose or suggest a printed label for providing a visual indication of the space allocated on the shelf for arranging the product, as claimed. Accordingly, withdrawal of the rejection is respectfully requested.

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CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: April 16, 2007

Respectfully submitted,



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